

EXHIBIT B PROCEDURES AND REQUIREMENTS

Revised June 2014

Local Government Waste Tire Cleanup Grant Program
Fiscal Year 2014/15

MILESTONES

The Local Government Waste Tire Cleanup Grant Program (Program) is administered through the Department of Resources Recycling and Recovery (CalRecycle). These Procedures and Requirements describe the reporting requirements, instructions for obtaining payment of grant funds, and fiscal control procedures to be followed in implementing the Program. This document is incorporated by reference into the Grant Agreement (Agreement) as Exhibit B. Copies of these Procedures and Requirements should be shared with BOTH the Finance Department AND the staff responsible for implementing the grant activities.

All forms referenced in this document are available on the [CalRecycle Grant Forms web page](http://www.calrecycle.ca.gov/Grant/Forms/) (<http://www.calrecycle.ca.gov/Grant/Forms/>)

MILESTONES

Date	Activity
Date on Notice to Proceed	Grant Term begins on date indicated on the Notice to Proceed.
June 30, 2016	Grant Term Ends - Final Report and Payment Request Due. All costs must be incurred by June 30, 2016.

PRIOR TO COMMENCING WORK

After the Agreement is signed by CalRecycle, the Grant Manager will email the Grantee with a copy of the fully executed Agreement and the Notice to Proceed. While receipt of the Notice to Proceed allows the Grantee to begin work on the project, be aware of the following requirements.

Reliable Contractor Declaration

This requirement is applicable to grantees that use a contractor on the project. Prior to authorizing a contractor(s) commence work under this grant, the grantee shall submit to the Grant Manager a declaration from the contractor(s), signed under penalty of perjury, stating that within the preceding three (3) years, none of the events listed in Section 17050 of Title 14, California Code of Regulations, Division 7, has occurred with respect to the contractor(s) and the subcontractor(s). See <http://www.calrecycle.ca.gov/Laws/Regulations/Title14/ch1.htm#ch1a5>. If any of the listed events has occurred with respect to a contractor or subcontractor, please follow the instructions on the Reliable Contractor Declaration Form referenced below. If a contractor or subcontractor is placed on the CalRecycle Unreliable List after award of this grant, the grantee may be required to terminate the contract.

Grantee must provide the Reliable Contractor Declaration Form (CalRecycle 168) for all contractors and subcontractors utilized in the implementation of the grant prior to commencement of work. To obtain the CalRecycle 168 form, see the General Grant Forms section of the [CalRecycle forms web page](http://www.calrecycle.ca.gov/Grants/Forms/) (<http://www.calrecycle.ca.gov/Grants/Forms/>). A scanned copy of the signed Reliable Contractor Declaration Form must be uploaded in GMSWeb. To upload the Form:

1. Go to the **Reports** tab.
2. Click on **Reliable Contractor Declaration** link.
3. Click on the **Add Document** button.
4. Type a title, i.e., Reliable Contractor Declaration, then click the **Browse** button to search, select the document, and then **Save**.
5. Click the **Back** button to return to the previous page and then click on the **Submit** button.

For further instructions regarding GMSWeb, including log-in directions, see the section below titled “Grant Management System Web”.

If a contractor or subcontractor is placed on the [CalRecycle Unreliable List](http://www.calrecycle.ca.gov/Grants/Unreliability/List.htm) (<http://www.calrecycle.ca.gov/Grants/Unreliability/List.htm>) after award of this grant, the grantee may be required to terminate that contract.

Property Access Authorization and Non-Responsibility Affidavit for Private Property (Affidavit) (CalRecycle 741).

If a site is on private property and there are 500 tires or more, an Affidavit must be submitted and approved by the CalRecycle Grant Manager prior to site remediation. The Affidavit authorizes the Grantee and other applicable persons access to the property for purposes of site cleanup and attests to the property owners innocence in causing the waste tires to be deposited on the property. If the site was remediated prior to the approval of an Affidavit by the Grantee to the Grant Manager, all costs incurred are ineligible for reimbursement.

Verification of Hauler and End-Use Facility

Prior to removal of tires from a site, the Grantee shall contact the CalRecycle Tire Management Program Hotline (Hotline) at (866)896-0600 (toll free) to verify that the used tire hauler and end-use facility are in compliance with applicable laws and regulations. The name and address of the tire hauler and the end-use facility are necessary for verification. If you have any questions, contact your Grant Manager.

GRANT TERM

The Grant Term begins on the date indicated in the Notice to Proceed. The Grant Term ends on June 30, 2016. **This is also the date the Final Report and Final Payment Request are due to CalRecycle.** Grant-eligible program expenditures may start no earlier than the date indicated in the Notice to Proceed. Eligible program costs must be incurred no later than June 30, 2016.

WASTE & USED TIRE HAULER AND END-USE AND DISPOSAL FACILITIES

CalRecycle has specific requirements for the tracking of used and waste tires remediated with grant funds. In order to be reimbursed for the costs of tire remediation, Grantees and their contractors must use a waste and used tire hauler that is registered with CalRecycle, unless exempt pursuant to Public Resources Code section 42954. Furthermore, the tires must be transported to a facility that is permitted, excluded, exempted or otherwise authorized by CalRecycle, by statute, or by regulation, to accept waste and used tires, or to a facility that lawfully accepts waste and used tires for reuse or disposal.

WASTE TIRE GENERATOR TPID NUMBER

To comply with CalRecycle’s waste tire manifest requirements, grantees conducting roadside (i.e., public right-of-way) cleanups need to obtain a Tire Program Identification (TPID) number (for that jurisdiction’s roadways) which will be used as the generator TPID number. Grantee shall obtain a separate TPID number for each site (single location) at which the Grantee cleans up more than 500 waste tires.

DAILY LOG

Grantees shall maintain a written daily log of the amounts and locations where waste tires are picked up. The purpose of the daily log is for CalRecycle and, if applicable, Local Waste Tire Enforcement Grantees to initiate surveillance and pursue enforcement against individuals or businesses that are illegally hauling and disposing of waste tires. The following are minimum requirement for the daily log:

- *Total daily pickups of less than 10 waste tires:* Grantee shall record the amount as “<10 tires” and include the general location, including roads, alleys or addresses surveyed.
- *Total daily pickups of 10 or more waste tires:* Grantee shall record the total amount of tires per daily waste tires manifest(s) and include the general locations including roads, alleys or addresses surveyed.
- *Ten + tires at a single location:* Grantee shall record the amount of tires picked up separately for that location, provide notation if the pickup is on private property and not from the right-of-way, and record the specific location using global positioning satellite coordinates, a street address, latitude and longitude, odometer reading from reference point, milepost marker or other method approved by the Grant Manager.

The daily log shall be compiled and be available for review upon request by CalRecycle or the Local Waste Tire Enforcement Grantee. Grantee is encouraged to record additional information in the daily log as recommended by the Local Waste Tire Enforcement Grantee (if applicable) or local illegal dumping abatement programs to facilitate potential additional surveillance, enforcement and cleanup activities. Examples of additional information to consider include the identification and referral of any individuals committing acts of illegal dumping, the types of waste tires indicating sources such as truck tires and the presence of significant illegally dumped wastes other than tires.

ELIGIBLE COSTS

Eligible costs include expenses directly related to the approved project and all expenditures must be included in the approved Budget. Eligible costs include, but are not limited to:

- The cost of collecting less than 5,000 waste tires on private property where the owner is not responsible.
- The cost of collecting and loading waste tires into transporting vehicles for waste tire cleanup projects.
- The cost of transporting waste tires by a waste tire hauler, registered or exempted by CalRecycle, to a permitted, excluded or exempted waste tire storage facility or other authorized solid waste facility.
- The cost of transporting waste tires for a specific end use to a CalRecycle approved end use facility. The waste tires must be transported by a CalRecycle approved waste tire hauler to a CalRecycle approved end use facility.
- The cost for disposing of waste tires at a CalRecycle permitted, excluded or exempted waste tire storage facility or disposal site.
- Equipment rental.
- Mileage of up to 56.5 cents per mile or an amount consistent with the state mileage rate at the time the cost was incurred (see calhr.ca.gov) for tire cleanup related activities.
- The reasonable cost for labor and materials (not greater than 5 percent of project costs reimbursed by CalRecycle) for fencing, gates, signs and other methods to secure the property where illegal dumping has occurred.
- Any salaries and benefits for personnel directly involved in waste tire cleanup project activities, including the preparation of payment requests and final reports.

INELIGIBLE COSTS

Ineligible costs include, but are not limited to:

- Costs incurred prior to the date on the Notice to Proceed email or after June 30, 2016.
- Personnel time for preparation of a Waste Tire Cleanup Grant Application.
- Cleanup of a site on private property with 5,000 or more tires.
- Any costs that are not consistent with local, state and federal laws, guidelines and regulations.
- Personnel costs incurred while an employee assigned to the Waste Tire Cleanup Grant project is not working on the grant (e.g., use of accrued time such as sick leave, vacation, etc.).
- Costs currently covered by or incurred under another CalRecycle funded loan, grant, grant cycle or contract.
- Purchasing or leasing of vehicles.
- Overhead (costs for accounting/budget/finance staff, rental/lease of space, utilities, copying, and office supplies, etc.).
- Costs for obtaining permits and licenses.
- Cleanup/removal of waste tires from an operating business where the owner or operator of the property is actively stockpiling tires.
- Costs of collecting waste tires from waste tire generating businesses that are responsible for contracting with registered waste tire haulers for the removal of their waste tires. If it is determined that the Grantee has used grant funds for this purpose, costs incurred will be deemed ineligible.
- Research costs for specific end use projects associated with the site cleanup.
- Fines or penalties due to violation of federal, state or local laws, ordinances or regulations.
- Personnel travel or per diem.
- Cameras, cell phones, electronic personal data devices, pagers and other similar personal electronic devices.
- Costs connected with contractor claims against the grantee.
- Any costs that are unrelated to the grant project or unreasonable as determined by the Grant Manager.

BUDGET CHANGES

The Budget in GMSWeb describes the approved Grant activities and costs and become part of the Agreement.

Changes to the approved Budget are allowed when the change will not materially alter the scope of the cleanup project or include ineligible costs. When the Budget change involves expenditures that total ten percent or less of the total approved Budget, prior Grant Manager approval is not required. However, the Grantee should provide Budget change information to the Grant Manager as soon as possible so that appropriate changes can be made to the Budget tab in GMSWeb, or the Grantee will be unable to enter a payment request transaction. Grantee will be responsible for any unilateral changes to the Budget that results in ineligible expenditures. Contact the Grant Manager for assistance.

Budget change requests that involve more than ten percent of the total grant must be pre-approved in writing by the Grant Manager prior to the costs being incurred.

GRANT MANAGEMENT SYSTEM

GMSWeb is CalRecycle's web-based grant application and grant management system. Access to GMSWeb is secure; Grantees must log in using a WebPass. WebPass accounts are tied to a specific email address. If an email address changes, or if it becomes inactive, the Grantee must create a new WebPass account to continue accessing GMSWeb. Establish or manage a WebPass at the [CalRecycle WebPass web page](https://secure.calrecycle.ca.gov/WebPass/) (<https://secure.calrecycle.ca.gov/WebPass/>).

Accessing the Grant

Grantees must log into [GMSWeb \(https://secure.calrecycle.ca.gov/Grants\)](https://secure.calrecycle.ca.gov/Grants) using their web pass. After log-in, locate the grant in the **Associated Grant Applications** table and select the **Grant Management** link. The **Grant Management** module includes the following sections:

- **Summary tab** - shows approved budget, paid and remaining amounts. (This section is available to the Grantee in Read-only mode.)
- **Payment Request tab** - requests reimbursement.
- **Reports tab** - uploads required reports
- **Documents tab** - uploads other grant documents that are not considered supporting documents to a payment request or a report. This section also provides access to documents that were uploaded within other sections of GMSWeb.

Follow the instructions in GMSWeb to work in the system. Use the information in the following sections to determine what reports, transactions, and supporting documents are required.

Contact Update

Access to the grant is limited to those listed in the **Contacts** tab in the **Application Module**. Existing contacts may update contact information for all contact types except Signature Authority. Notify assigned Grant Manager of any changes to Signature Authority information via email.

GRANT PAYMENT REQUESTS AND SUPPORTING DOCUMENTATION

Grant funds are paid on a reimbursement basis. **The Grantee must incur and pay for expenditures, including payments to contractors and subcontractors, prior to submitting a Payment Request for reimbursement.** The Budget tab in GMSWeb must reflect current budgeted amounts for all budget categories before submitting a Payment Request. If there have been any operational and financial adjustments to the Budget as described in the Budget Changes section, the Grantee must provide that information to the Grant Manager prior to preparing a Payment Request or the Grantee will be unable to submit a Payment Request through GMSWeb.

To submit a Grant Payment Request:

1. Go to the **Payment Request** tab.
2. Click on the **Create a Payment Request** button.
 - Choose **Reimburse** for the Transaction Type and enter the amount spent in each budget sub category.

- When the transaction is complete, click the **Save** button.
 - After the transaction is saved, the **Upload Supporting Documentation** button will appear in the lower right corner.
3. Click the **Upload Supporting Documentation** button.
 - Type a title, click the **Browse** button to search and upload the document, and then **Save**.
 - Select the **Back** button to upload another document and continue this process until all required supporting documents as listed below are uploaded.
 - The maximum allowable file size for each document is 50MB.
 4. Click the **Submit Transaction** button, located on the transaction page, to complete your payment request (including uploading all the documents listed below).

Supporting Documentation

- **A scanned copy of the signed Grant Payment Request form (CalRecycle 87)**
- **Expenditure Itemization Summary (CalRecycle 745-EIS-TCU)**
- **Personnel Expenditure Summary (CalRecycle 165)**
- **Expense Documentations:** Include receipts and invoices for all expenses on the Expenditure Itemization Summary form documenting that all expenditures have been paid for.
- **Waste Tire Manifests:** Grantee must provide waste tire manifests documentation showing the transportation of all waste tires to an eligible facility.

Mail only the **original** Grant Payment Request form (CalRecycle 87), with the original signature of the signatory or his/her designee*, as authorized by grantee’s Resolution or Letter of Commitment to:

Via standard mail:	Via courier/personal delivery:
CalRecycle Tire Cleanup Grant Program FiRM Branch, 9 th Floor P.O. Box 4025 Sacramento, CA 95812-4025	CalRecycle Tire Cleanup Grant Program FiRM Branch, 9 th Floor 1001 I Street Sacramento, CA 95814

** A designee may sign on behalf of the grantee if a) authorized by the Resolution or Letter of Commitment, and b) a Letter of Designation has been provided to the Grant Manager.*

Download all forms listed above from the CalRecycle [Grant Forms web page](http://www.calrecycle.ca.gov/Grants/Forms/) (<http://www.calrecycle.ca.gov/Grants/Forms/>).

Payment Requests will be reviewed for accuracy and cost eligibility. The Grant Manager may request additional documentations and will make adjustments as necessary. Payments will be approved when the Grant Manager determines that the request is accurate, complete, eligible, and accompanied by all required documentations. All costs and activities claimed for reimbursement must be approved in the Budget. If the Grant Manager determines that an activity or cost is ineligible, inappropriate, excessive, unreasonable, or not related to the Grant, reimbursement will be adjusted accordingly.

Payment will be made to the Grantee only. It will be the responsibility of the Grantee to pay all contractors and subcontractors for purchased goods and services.

A ten percent withhold, or retention, will be deducted from each grant payment and will be released at the final payment request when the Grant Manager determines that all conditions stipulated in the Agreement have been satisfied.

Affidavit: For each site on private property at which the Grantee cleans up 500-4,999 tires, the property owner must complete and execute a Property Access Authorization and Non-Responsibility Affidavit for Private Property (CalRecycle 741). The Affidavit authorizes the Grantee and/or its contractor to access the property for purposes of

performing the cleanup, and attests to the property owner's innocence in causing the waste tires to be deposited on his/her property.

REPORTING REQUIREMENTS

Progress Report(s)

A Progress Report is required with each payment request. The Progress Report must be completed on the Progress Report/Payment Request Form (CalRecycle 768). Download the Progress Report/Payment Request (CalRecycle 768) from the [CalRecycle forms web page \(http://www.CalRecycle.ca.gov/Grants/Forms/\)](http://www.CalRecycle.ca.gov/Grants/Forms/).

Final Progress Report

Approval of the Final Progress Report by the Grant Manager is mandatory in order for the Grantee to receive final payment of the grant award, which includes release of the ten percent (10%) withhold. This report is a work product and as such is a condition of the Agreement. Failure to submit the Final Payment Request and Final Progress Report, with appropriate documentation by June 30, 2016 may result in rejection of the Payment Request and/or forfeiture by the Grantee of claims for costs incurred that might otherwise have been eligible for grant funding. The Final Progress Report must be prepared using the Final Progress Report/Payment Request Form (CalRecycle 768). Download the Final Progress Report/Payment Request (CalRecycle 768) from the [CalRecycle forms web page \(http://www.CalRecycle.ca.gov/Grants/Forms/\)](http://www.CalRecycle.ca.gov/Grants/Forms/).

All Reports must be uploaded in GMSWeb. *For further instructions regarding GMSWeb, including login directions, see the section above titled, Grant Management System Web.*

To upload a report:

1. Go to the **Reports** tab.
2. Click on the appropriate event name.
3. Click on the **Add Document** button.
4. Type a title, click the **Browse** button to search and upload the document, and then **Save**.
 - You may upload multiple documents to complete reporting requirements.
 - The maximum allowable file size is 50MB.
5. Click the **Back** button to return to the previous page.
6. Click the **Submit** button when the report is complete.

GRANT CLOSURE

The Grant Manager will close out the grant when 1) the Final Report and Payment Request are submitted and all applicable administrative actions and all required tasks of the grant have been completed; or 2) the termination of this Agreement, whichever comes first.

RECORDS AND AUDITS REQUIREMENTS

This grant is subject to a desk or field audit.